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USDOC FOR 532/OEA/M. NICKSON-D/JAY HATFIELD
USDOC FOR 3131/USFCS/OIO/ANESA/KREISSL
USDOC FOR 4530/MAC/ANESA/OSA
ICE HQ FOR STRATEGIC INVESTIGATIONS
STATE FOR EB/ESP

E.O. 12958: N/A

TAGS: [ETTC](#) [ETRD](#) [BEXP](#) [IN](#)

SUBJECT: EXTRANCHECK: PRE-LICENSE CHECK: CENTRAL BOARD OF EXCISE &
CUSTOMS, NEW DELHI, LICENSE NO. D390319

REF: USDOC 00824

¶1. Unauthorized disclosure of the information provided below is prohibited by Section 12(c) of the Export Administration Act.

¶2. On April 07, 2008, Export Control Officer (ECO) Paul Cushman and BIS FSN Shailendra Srivastava conducted a Pre-license Check (PLC) at the Central Board of Excise & Customs (CBEC), New Delhi.

¶3. BIS requested a PLC at CBEC, a Government of India entity headquartered at the Hotel Samrat, Kautilya Marg, Chanakyapuri, New Delhi 110021. CBEC is listed as the ultimate consignee and Tata Consultancy Services Ltd. (TCS) as the intermediate consignee for five Integrated Firewall / Virtual Private Networks (VPN) controlled under ECCN: 5A002. The license applicant is Juniper Networks Inc., 1194 North Mathilda Avenue, Sunnyvale, California 94089.

¶4. ECO and FSN Srivastava met with Mr. N. Venkatesh, Additional Director, and Ms. Somya Dave, Additional Director General, CBEC. Mr. Randhir Jaiswal, Deputy Secretary, Ministry of External Affairs, arranged the meeting and was also present at the meeting.

¶5. The meeting was held at the Office of the Directorate General, Systems & Data Management, CBEC. Venkatesh stated that he did not recall any previous visits by BIS officials. In addition, Venkatesh clarified that CBEC has ordered only three VPNs as opposed to the five mentioned in the referenced cable.

¶6. Venkatesh provided copies of the TCS Commercial Bid and CBEC Purchase Order. When asked for a copy of the end-use statement, Venkatesh stated that he was unaware of the requirement and TCS had not requested one (CBEC has had no communication with Juniper Networks). ECO explained that the end-use statement is an essential part of the export license application and failure to submit one would delay the application process. He agreed to promptly complete and forward an end-use statement. Immediately following the meeting, FSN Srivastava emailed to Venkatesh an electronic copy of form BIS-711 (Statement by Ultimate Consignee and Purchaser).

¶7. Venkatesh stated that the equipment on order will be used to establish a Virtual Private Network between CBEC's central office and the other 1200 CBEC offices throughout India. Once installed, all remote users and authorized agencies will use the Internet to access various CBEC applications and databases needed to perform their missions. Of the three systems, one will be installed in New Delhi, one in Chennai, and the final one at a disaster recovery site. The systems will be installed and maintained by TCS. CBEC has already leased space to house the VPNs from Videsh Sanchar Nigam Limited (VSNL), a Tata subsidiary which is a certified international telecommunication and Internet Service Provider company. VSNL

facilities provide state-of-the-art physical security, environmental controls, and uninterrupted power supply.

¶8. CBEC falls under the Department of Revenue within the Ministry of Finance. It is responsible for formulating and implementing policy relating to the levy and collection of Customs and Excise duties as well as the prevention of smuggling.

¶9. Recommendation: The Central Board of Excise and Customs appears to be a suitable recipient of this controlled technology. CBEC cooperated fully with the BIS Team, has a demonstrated need for the technology, and understands its responsibilities with respect to the Export Administration Regulations.

WHITE